

DEFENSIVE DRIVING BOARD

Meeting Agenda - Thursday, October 29, 2015

Arizona Supreme Court -1501 West Washington Street

Phoenix, Arizona 85007 – 10:00 A.M. – Conference Room 109

General Inquiries Call: (602) 452-3378 (Certification and Licensing Division Line)

Members of the Public May Attend Meeting in Person

For any item listed on the agenda, the Board may vote to go into Executive Session for advice of counsel and/or to discuss records and information exempt by law or rule from public inspection, pursuant to the Arizona Code of Judicial Administration, Code Section 1-202(C).

CALL TO ORDER..... *Daniel Edwards, Chair*

1) REVIEW AND APPROVAL OF MINUTES..... *Daniel Edwards, Chair*

1-A: Review, discussion, and possible action regarding the regular session minutes for the meeting of August 20, 2015.

2) INITIAL CERTIFICATION AND ELIGIBILITY..... *Division Staff*

2-A: Review, consideration, and possible action regarding pending initial certification of the following defensive driving schools:

1. Happy Trails Traffic School
2. Saguaro Traffic School, LLC
3. Desert Rose Traffic School
4. RIGHT TURN Traffic School
5. RIGHT TURN Defensive Driving School
6. RIGHT TURN Defensive Driving Course
7. RIGHT TURN Ticket Dismissal School
8. RIGHT TURN Ticket Removal Course

2-B: Review, consideration, and possible action regarding pending initial certification of the following applicants for defensive driving instructor certification:

1. Norman Johnson
2. Dennis Schreffler
3. Evelyn Buell
4. Valentino Hernandez

3) CERTIFICATION AND ELIGIBILITYDivision Staff

3-A: Review, discussion, and possible action regarding a change of curricula for the following schools:

1. Tucson Defensive Driving School
2. Drive Right, LLC
3. Arizona Academy of Defensive Driving
4. Roadrunner Traffic School
5. Drive Smart University
6. Got a Ticket? Defensive Driving School
7. Arizona's Best Defensive Driving School
8. Comedy Traffic School
9. Rush Hour Traffic School
10. Traffic 101

4) PENDING COMPLAINTS/CERTIFICATION.....Division Staff

4-A: Review, discussion and possible action regarding Findings of Fact, Conclusions of Law and Recommendation in complaint number 15-D002, involving Gordon Fox and 2 Pass Defensive Driving.

4-B: Update regarding disciplinary action concerning complaint numbers 14-D014/14-D015 and 14-D017 involving 2 Pass Defensive Driving.

4-C: Update, review, discussion and possible action regarding Easy Simple Fun Defensive Driving proposed settlement offer concerning complaint number 14-D016.

4-D: Review, discussion and possible action regarding initial certification of defensive driving schools Pay Less . . . Easier . . . Fun . . . AZ Licensed Defensive Driving and Easy . . . Low Cost . . . Simple Arizona Approved Defensive Driving.

4-E: Update regarding the status of pending complaints.

5) ADMINISTRATIVE ISSUESDivision Staff

5-A: Review, discussion and possible action regarding the establishment of the 2016 Board meeting schedule.

6) SUBCOMMITTEE CONCERNING SCHOOL NAMESDivision Staff

6-A: Update on subcommittee concerning defensive driving school names.

CALL TO THE PUBLIC *Daniel Edwards, Chair*

ADJOURN *Daniel Edwards, Chair*

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1) REVIEW AND APPROVAL OF MINUTES

1-A: Review, discussion, and possible action regarding the regular session minutes for the meeting of August 20, 2015.

Attached for Board review and approval are the regular session minutes of the August 20, 2015 meeting.

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2) INITIAL CERTIFICATION AND ELIGIBILITY

2-A: Review, consideration, and possible action regarding pending initial certification of the following defensive driving schools:

1. Happy Trails Traffic School
2. Saguaro Traffic School, LLC
3. Desert Rose Traffic School
4. RIGHT TURN Traffic School
5. RIGHT TURN Defensive Driving School
6. RIGHT TURN Defensive Driving Course
7. RIGHT TURN Ticket Dismissal School
8. RIGHT TURN Ticket Removal Course

1. Happy Trails Traffic School, a classroom and internet format defensive driving school, applied for certification on July 20, 2015. The school's office is located in Glendale, Arizona. The school's owner and designated principal is April Wright. April Wright operates the following certified schools: Learn and Go Traffic School, Go and Learn AZ Traffic School and Happy Valley Traffic School, LLC.

Division staff has performed a review of the new school's application and curriculum.

It is recommended initial certification be granted to Happy Trails Traffic School with an effective date of November 1, 2015.

2. Saguaro Traffic School, LLC, a classroom and internet format defensive driving school, applied for certification on July 20, 2015. The school's office is located in Glendale, Arizona. The school's owner and designated principal is April Wright. April Wright operates the following certified schools: Learn and Go Traffic School, Go and Learn AZ Traffic School and Happy Valley Traffic School, LLC.

Division staff has performed a review of the new school's application and curriculum.

It is recommended initial certification be granted to Saguaro Traffic School, LLC with an effective date of November 1, 2015.

3. Desert Rose Traffic School, a classroom and internet format defensive driving school, applied for certification on July 20, 2015. The school's office is located in Glendale, Arizona. The school's owner and designated principal is April Wright. April Wright

operates the following certified schools: Learn and Go Traffic School, Go and Learn AZ Traffic School and Happy Valley Traffic School, LLC.

Division staff has performed a review of the new school's application and curriculum.

It is recommended initial certification be granted to Desert Rose Traffic School with an effective date of November 1, 2015.

4. RIGHT TURN Traffic School, a classroom and internet format defensive driving school, applied for certification on July 28, 2015. The school's office is located in Tucson, Arizona. The school's owners are Mark Campbell and Michael Rambaud. The designated principal is Mark Campbell. Mr. Campbell and Mr. Rambaud operate the following school: AAAA Driving School Corporation.

Division staff has performed a review of the new school's application and curriculum.

It is recommended initial certification be granted to RIGHT TURN Traffic School with an effective date of November 1, 2015.

5. RIGHT TURN Defensive Driving School, a classroom and internet format defensive driving school, applied for certification on July 28, 2015. The school's office is located in Tucson, Arizona. The school's owners are Mark Campbell and Michael Rambaud. The designated principal is Mark Campbell. Mr. Campbell and Mr. Rambaud operate the following school: AAAA Driving School Corporation.

Division staff has performed a review of the new school's application and curriculum.

It is recommended initial certification be granted to RIGHT TURN Defensive Driving School with an effective date of November 1, 2015.

6. RIGHT TURN Defensive Driving Course, a classroom and internet format defensive driving school, applied for certification on July 28, 2015. The school's office is located in Tucson, Arizona. The school's owners are Mark Campbell and Michael Rambaud. The designated principal is Mark Campbell. Mr. Campbell and Mr. Rambaud operate the following school: AAAA Driving School Corporation.

Division staff has performed a review of the new school's application and curriculum.

It is recommended initial certification be granted to RIGHT TURN Defensive Driving Course with an effective date of November 1, 2015.

7. RIGHT TURN Ticket Dismissal School, a classroom and internet format defensive driving school, applied for certification on July 28, 2015. The school's office is located in Tucson, Arizona. The school's owners are Mark Campbell and Michael Rambaud. The

designated principal is Mark Campbell. Mr. Campbell and Mr. Rambaud operate the following school: AAAA Driving School Corporation.

Division staff has performed a review of the new school's application and curriculum.

It is recommended initial certification be granted to RIGHT TURN Ticket Dismissal School with an effective date of November 1, 2015.

8. RIGHT TURN Ticket Removal Course, a classroom and internet format defensive driving school, applied for certification on July 28, 2015. The school's office is located in Tucson, Arizona. The school's owners are Mark Campbell and Michael Rambaud. The designated principal is Mark Campbell. Mr. Campbell and Mr. Rambaud operate the following school: AAAA Driving School Corporation.

Division staff has performed a review of the new school's application and curriculum.

It is recommended initial certification be granted to RIGHT TURN Ticket Removal Course with an effective date of November 1, 2015.

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2) INITIAL CERTIFICATION AND ELIGIBILITY

2-B: *Review, consideration, and possible action regarding pending initial certification of the following applicants for defensive driving instructor certification:*

1. Norman Johnson
2. Dennis Schreffler
3. Evelyn Buell
4. Valentino Hernandez

The following applicants have submitted an application for initial certification. In the opinion of staff, the applications are complete and no information has been presented during the background investigation which is contrary to certification being granted. The applicants have requested that their certification be effective as of November 1, 2015, due to the proximity of the date of certification to the date of expiration of the current certification period. It is recommended initial certification be granted to the following individuals with an effective date of November 1, 2015:

1. Norman Johnson
2. Dennis Schreffler

Division Staff has processed the following applications for initial certification which are being submitted to the Board for additional review and consideration. The applicants have demonstrated that they meet the minimum eligibility requirements. In the event the recommendation is to grant certification with additional non-disclosure language, the following language would be used:

The Defensive Driving Board ("Board") has concluded its review of your application and determined you have satisfied the eligibility requirements for certification. Although the Board is granting you certification, the Board members have concerns regarding the failure to disclose your <insert failure to disclose>. Lack of diligence is not a quality embraced by the Board or your colleagues in the profession, and may jeopardize your success. The Board and the Division place the highest priority on honesty and candor. Your failure to disclose information on future applications may result in denial of your renewal of certification or disciplinary action.

3. Evelyn Buell – The applicant disclosed a 1995 misdemeanor conviction for driving under the influence of alcohol. Ms. Buell's record reflected no subsequent offenses. Staff's recommendation is to grant initial defensive driving instructor certification to applicant, Evelyn Buell with an effective date of November 1, 2015.

4. Valentino Hernandez – The applicant failed to disclose two superior court civil suits (2010 and 2012) to which he was a party. Both suits were debt-related and resolved through a 2012

bankruptcy which was disclosed on the application. Mr. Hernandez stated that he did not disclose the suits because they were settled through the disclosed bankruptcy for which he had provided documentation and he believed that disclosure to be sufficient. Staff's recommendation is to grant initial certification to applicant, Valentino Hernandez, with an effective date of November 1, 2015, but include the aforementioned language regarding the failure to disclose in his notification of certification.

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3) CERTIFICATION AND ELIGIBILITY

3-A: *Review, discussion, and possible action regarding the curricula for the following schools:*

1. Tucson Defensive Driving School
2. Drive Right, LLC
3. Arizona Academy of Defensive Driving
4. Roadrunner Traffic School
5. Drive Smart University
6. Got a Ticket? Defensive Driving School
7. Arizona's Best Defensive Driving School
8. Comedy Traffic School
9. Rush Hour Traffic School
10. Traffic 101

The above-named schools (#1 through #9) are operated by Traffic School Management Services, LLC, operated by William Riedel. Traffic School Management Services, LLC is requesting to replace the online curriculum of these schools with the video presentation that was approved by the Board at the August meeting for the following schools: Green Light Traffic School (Live or On Line Video Classes), Green Light A+ Rated Traffic School (Live or On Line Video Classes), Green Light Defensive Driving School (Live or On Line Video Classes) and Green Light 4 Hour Traffic School (Live or On Line Video Classes).

It is recommended the Board approve the change in curriculum for Tucson Defensive Driving School, Drive Right, LLC, Arizona Academy of Defensive Driving, Roadrunner Traffic School, Drive Smart University, Got a Ticket? Defensive Driving School, Arizona's Best Defensive Driving School, Comedy Traffic School and Rush Hour Traffic School.

Traffic 101 is a classroom format defensive driving school and has been operated by Debra Kann. The school has been sold to Traffic School Management Services, LLC, operated by William Riedel. Traffic School Management Services, LLC will be replacing the curriculum with that used by the following schools: Tucson Defensive Driving School, Drive Right LLC, Arizona Academy of Defensive Driving, Roadrunner Traffic School, Drive Smart University, Got a Ticket? Defensive Driving School, Arizona's Best Defensive Driving School, Comedy Traffic School and Rush Hour Traffic School. This curriculum has been reviewed by staff and approved by the Board.

It is recommended the Board approve the change in curriculum for Traffic 101.

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4) PENDING COMPLAINTS/CERTIFICATION

4-A: Review, discussion and possible action regarding Findings of Fact, Conclusions of Law and Recommendation in complaint number 15-D002, involving 2 Pass Defensive Driving and Gordon Fox.

This complaint was initially presented to the Board on August 20, 2015, at which time the Board accepted staff's recommendation and the Probable Cause Evaluator's determination that 2 Pass Defensive Driving ("TPDDS") and Gordon Fox violated ACJA § 7-205(F)(28)(f)(2) by failing to report a student's completion which resulted in a court "default" and subsequent license suspension.

On September 10, 2015, the Board filed the Notice of Formal Statement of Charges in complaint number 15-D002, involving TPDDS. Division records reflect TPDDS was served on September 11, 2015.

No answer or request for hearing was received from TPDDS. Staff recommends that the Board find TPDDS and Gordon Fox in default and enter a Final Order issuing a Censure.

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4) PENDING COMPLAINTS/CERTIFICATION

4-B: Update regarding disciplinary action concerning complaint numbers 14-D014/14-D015 and 14-D017 involving 2 Pass Defensive Driving.

Staff will provide an update to the Board.

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4) PENDING COMPLAINTS/CERTIFICATION

4-C: Update, review, discussion and possible action regarding Easy Simple Fun Defensive Driving proposed settlement offer concerning complaint number 14-D016.

Staff will provide an update and information to the Board.

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4) PENDING COMPLAINTS/CERTIFICATION

4-D: Review, discussion and possible action regarding initial certification of defensive driving schools Pay Less . . . Easier . . . Fun . . . AZ Licensed Defensive Driving and Easy . . . Low Cost . . . Simple Arizona Approved Defensive Driving.

Pay Less... Easier... Fun... AZ Licensed Defensive Driving and Easy... Low Cost... Simple... Arizona Approved Defensive Driving are internet format defensive driving schools. They applied for certification on January 20, 2015. The school's office is located in San Diego, California. The schools' owner and designated principal is Borna Mozafari. The school is also known as Easy-Simple-Fun Defensive Driving Online, Payless-Easy-Speedy Arizona Online Defensive Driving, U-Save... Easy-4-U... Fun 2 Arizona Defensive Driving Online, Easier ... Affordable... Fun Defensive Driving and Quick... Bargain... Easy Defensive Driving.

Although determinations on certification are normally held pending the conclusion of any outstanding complaints, Mr. Mozafari's attorney has requested that the Board consider these matters given that the Board took action on Complaint No. 14-D016 at the August meeting and there are no additional outstanding complaints at this time.

Division staff has performed a review of the new schools' application and curriculum.

It is recommended initial certification be granted to Pay Less... Easier... Fun... AZ Licensed Defensive Driving and Easy... Low Cost... Simple... Arizona Approved Defensive Driving with an effective date of November 1, 2015.

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4) PENDING COMPLAINTS/CERTIFICATION

4-E: Update regarding the status of pending complaints.

As of October 26, 2015, there are 22 open complaints, one of which has been presented on this agenda with a dispositive recommendation under agenda items 3-A.

DEFENSIVE DRIVING COMPLAINTS COURTOOLS MEASURE 4 AGE OF PENDING CASELOAD

Shaded Areas Indicate Cases within Time Standard of 22 Months

Age (Months)	Number Cases	Percent	Cumulative Percent
0-4	19	86%	86%
5-9	2	9%	95%
10-14	1	5%	100%
15-19			
20-22			
23-35			
36-50			
Over 50			
Total	22	100%	100%

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5) ADMINISTRATIVE ISSUES

5-A: Review, discussion, and possible action regarding the establishment of the 2016 Board meeting schedule.

The Defensive Driving Board is asked to consider and approve the 2016 meeting calendar.

Therefore, it is recommended the 2016 meeting calendar be set as follows:

February 18, 2016
April 21, 2016
June 16, 2016
August 18, 2016
October 20, 2016
December 15, 2016

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6) SUBCOMMITTEE CONCERNING SCHOOL NAMES

6-A: Update on subcommittee concerning defensive driving school names.

Division staff will provide information at the Board meeting.